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*Attorneys for Defendant,  
ZB, N.A. (d/b/a Zions First National  
Bank)*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

LIFESCAN, INC. and JOHNSON &  
JOHNSON HEALTH CARE SYSTEMS,  
INC.,

Plaintiffs,

v.

JEFFREY C. SMITH; GEOFFREY S.  
SWINDLE; STEVEN L. HADOCK;  
SAHILY PAOLINE; DAVID GRANT;  
JUSTIN LEAVITT; BLAINE SMITH;  
ALISON WISTNER; ADAM  
KOOPERSMITH; & ZB, N.A.;

Defendants.

Civil Action No. 2:17-cv-5552  
(CCC/CLW)

**NOTICE OF DEFENDANT ZB,  
N.A.'S MOTION TO TRANSFER  
VENUE OR, ALTERNATIVELY,  
TO DISMISS OR STAY THIS  
ACTION PURSUANT TO  
FEDERAL RULES OF CIVIL  
PROCEDURE 12(b)(1), 12(b)(6),  
9(b) AND 28 U.S.C. § 1404(a)**

*Filed Electronically*

**Oral Argument Requested**

**PLEASE TAKE NOTICE** that on April 2, 2018, or as soon as the Court  
deems appropriate, counsel for Defendant ZB, N.A. (d/b/a Zions First National  
Bank) ("Zions") shall move before the Honorable Claire C. Cecchi, U.S.D.J., at the

Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Courtroom 5B, Newark, New Jersey, for entry of an Order transferring venue of this action to the United States District Court for the District of Utah pursuant to 28 U.S.C. § 1404(a) or, alternatively, dismissing or staying Plaintiffs' Amended Complaint (D.I. 41) as to Zions pursuant to Rules 12(b)(1), 12(b)(6) and (9)(b) of the Federal Rules of Civil Procedure (the "Motion").

**PLEASE TAKE FURTHER NOTICE** that, in support of its Motion, Zions will rely on upon the Brief, Certification of Liza M. Walsh with accompanying Exhibits, and the Certification of Robert W. Boyd submitted herewith, and any additional submissions made hereafter.

**PLEASE TAKE FURTHER NOTICE** that a proposed order is also submitted herewith for the Court's consideration.

**PLEASE TAKE FURTHER NOTICE** that Zions requests oral argument.

Dated: March 5, 2018

s/Liza M. Walsh  
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